



**Passenger Vessel
Association**

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June 13, 2016

Office of the Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: WT Docket No. 16-162

**COAST GUARD REQUEST FOR WAIVER TO PERMIT USE OF CLASS
D VHF DIGITAL SELECTIVE CALLING EQUIPMENT IN LIEU OF
CLASS A EQUIPMENT**

Ladies and Gentlemen:

The Passenger Vessel Association (PVA), the national trade association representing owners and operators of U.S.-flagged passenger vessels of all types, appreciates this opportunity to submit comments on the Federal Communication Commission's May 19, 2016' solicitation for comments on the Coast Guard request to allow a blanket waiver for domestic passenger and small passenger vessels to carry Class D VHF Digital Selective Calling (DSC) equipment in lieu of Class A equipment.

The Passenger Vessel Association supports the Coast Guard's request for a blanket waiver as Class D equipment is more appropriate to smaller domestic-only operations while providing the same basic capabilities and interoperability with the Coast Guard's Rescue 21 system as Class A equipment. The FCC's own notice on May 19, 2016, identifies the Class A equipment as *"...intended for ocean-going ships to meet the Global Maritime Distress and Safety System (GMDSS) requirements..."* U.S. flag passenger and small passenger vessels operating on domestic-only routes are not subject to GMDSS requirements and should have never been required to carry Class A equipment; therefore, a more appropriate alternative is needed.

The FCC has a waiver process allowing for the use of Class D VHF DSC equipment, but vessel owners and operators need to apply for the waiver and pay a \$195 fee. The vast majority of domestic passenger and small passenger vessels are considered small businesses and this is a burden they should not be required to

incur. In Executive Order Executive Order 13563 of January 18, 2011, the President stated that one principle of federal regulation is to use the "least burdensome tools for achieving regulatory ends" and directed each agency to "tailor its regulations to **impose the least burden on society**, consistent with obtaining regulatory objectives, taking into account, among other things, and to the extent practicable, the **costs of cumulative regulations**." In Executive Order 13579 of July 11, 2011, the President directed that "to the extent permitted by law, independent regulatory agencies should comply with these provisions as well." FCC approval of the Coast Guard's blanket waiver application will be consistent with these two Executive Orders as it will relieve hundreds of small business entities from the unnecessary burden of having to apply for an individual waiver and to incur the associated \$195 filing fee.

The Passenger Vessel Association also supports the Coast Guard's effort to harmonize definitions between agencies. Most of the confusion associated with the new VHF DSC requirement stems from THE COAST GUARD'S AND FCC'S dissimilar regulatory definitions of "passenger vessel." Thank you for your consideration.

Sincerely,



Eric P. Christensen
Director of Regulatory Affairs and Risk Management